

The Origin and Early History of The Royal Zoological Society of New South Wales

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The history of our Society has already been sketched by Jack Prince in *The First Hundred Years*, published in 1979. I have found this a useful source of facts but the book is very subdivided in its treatment and more concerned with *what* happened than *how* or *why* it did. I hope to fill in some gaps and I shall begin by introducing a few people who were important in our origins.

The Australian Museum was founded in 1829 but it was not until 1835 that a qualified person was put in charge: Dr George Bennett was a well-travelled naturalist who put the museum on a professional basis and established international connections. Being unable to live satisfactorily on his salary, he resigned and took up general practice in 1841. He contributed to Australian zoology throughout his long life.

He was succeeded by the Rev. W. B. Clarke ("father of Australian geology"), who had a stipend from the parish of Dural and Castle Hill and was happy also to pick up a salary from the Museum without coming to Sydney very often. His position was abolished in 1853.

The museum went into a decline but, in 1847, another parson, the Rev. G. E. Turner, Rector of Ryde, who was a keen amateur naturalist, was appointed as (honorary) Secretary. We shall hear more of these three museum heads after I have introduced a few other men.

The Botanic Gardens, established in 1816, had similar ups and downs to the museum but entered a phase of steady development in 1848, when Charles Moore was appointed as Director. He held this position until 1896.

Another naturalist — and, indeed the only person in the colony specifically qualified as biologist — was William Sharp Macleay, the Cambridge-educated son of an early Colonial Secretary who had made a notable contribution to theoretical biology before settling in Sydney in 1839. He failed to add significantly to Australian biology, but from his residence in Elizabeth Bay House, he presided over *discussions* of biological topics. He was a member of the colonial establishment.

Two more characters are best known for their political activities. Dr A. T. Holroyd was a

medico, lawyer, Fellow of the Linnean Society, and a member of the Legislative Council. His liberal views made him unpopular with the establishment, but a western suburb was eventually named after him.

Henry Parkes (later to be knighted and honoured as the "father of Federation") was editor of a daily newspaper, *Empire*, which he established in 1850, in competition with the *Sydney Morning Herald*. He was *very* unpopular with the establishment. Parkes might seem distant from the Society but he was our longest-serving President (nine consecutive years from 1887).

My story begins on 17 June, 1852 (140 years ago), when, with the permission of the Governor-General, Sir Charles Fitzroy, the Rev. George Turner called a meeting of Sydney naturalists in the lecture room of the Botanic Gardens to consider the establishment in Sydney of "a public zoological institution", modelled on the Zoological Society of London. This had been founded in 1828, largely on the initiative of Sir Stamford Raffles, and had opened its gates to the public in 1847. At the time that he called the meeting, Turner was the (honorary) chief executive of the Australian Museum, so his suggestion carried some weight. He had the firm backing of Bennett, Clarke, Moore and Holroyd, and the general approval of Fitzroy.

A public meeting was held on 28 June, 1852, under the chairmanship of the Chief Justice, Sir Alfred Stephen. Over 200 people listened to a variety of arguments in favour of the proposal. Turner maintained that the study of wild animals revealed the wisdom and goodness of God, that, in any case, Sydney was very short of wholesome public entertainments and that a zoo might keep kids off the street. Holroyd stressed the educational function of a zoo. Bennett suggested that a zoo might serve to domesticate native species, such as the Lyrebird and Mallee Fowl, or as a half-way house in the introduction of useful exotic animals, such as the Llama. Clarke gave it general support and the Chief Justice suggested that it would be a tourist attraction, "encouraging people to resort to Sydney [from Melbourne] and enjoy themselves".

The meeting enthusiastically passed two resolutions:

That it is desirable to establish a Zoological Institution in or near the city of Sydney, for the encouragement of science and the instruction of the public.

That a memorial be presented to His Excellency the Governor-General, praying that a portion of land in the outer Government Domain, or some other favourable locality, may be appropriated as a site for the reception of a collection of living animals; and further that His Excellency will be pleased to cause to be placed annually on the estimates . . . a sum of money in aid of the proposal.

The *Sydney Morning Herald* and the *Empire* supported the project and only three voices were raised against it. Messrs Beaumont and Waller, who had a small menagerie at the Botany Bay Hotel, complained against government intrusion into an area that they regarded as private enterprise. Mr William Sharp Macleay, who had been a founding member of the Zoological Society of London, objected strongly to every aspect of the proposal. He claimed that nothing could be learned from "gazing at a baboon", that a museum was a better place for studying animals than a zoo; that it was improper to spend public money on a zoo; and that Turner, Clarke and Holroyd were imposters.

In an *Empire* editorial, Parkes referred to the widespread support for a zoo, although:

The only exception will be found in the very bilious effusions . . . from the pen of a certain cynical gentleman residing on the shores of Elizabeth Bay. Considering the deservedly high reputation of the writer as a man of science, we cannot but express our regret at the narrow-mindedness which his letters betray.

At the public meeting, Sir Alfred Stephen could not refrain from commenting on Macleay. According to the *Sydney Morning Herald*

He then, in humorous terms, adverted to the mysterious opposition got up against the proposed institution by Mr William Macleay and Messrs Beaumont and Waller; but expressed his sincere belief that the utmost success would attend the efforts of the Australian Zoological Society.

He was wrong. A deputation called on the Governor. The Governor recommended them to the Legislative Council and this body twice rejected the proposal, on the grounds that

there was no spare land in the vicinity of Sydney. While there is no direct evidence that Macleay's opposition was sufficient to abort the embryonic zoological society, I believe that his support might well have guaranteed its success.

However, all was not lost. Moore began to develop aviaries in the Botanic Gardens. These were certainly in existence by 1856 (four years later) and must have been constructed even earlier.

In 1861, we find our enthusiasts establishing the Acclimatization Society of New South Wales, with Bennett as Secretary and Moore, Turner and Holroyd as founding committeemen. This body was a carbon copy of the Acclimatization Society of Victoria, established a year previously, and their aims were expressed identically:

The object of this Society shall be the introduction, acclimatization and domestication of all innoxious animals, birds, fishes, insects and vegetables, whether useful or ornamental; the perfection, propagation, and hybridization of races recently introduced or already domesticated; the spread of indigenous animals from parts of the colonies where they are already known to other localities where they are not known; the procurement, whether by purchase, gift or exchange of animals, and, from the colony to England and foreign parts, in exchange for others sent thence to the Society; the holding of Periodical Meetings; and the publication of Reports and transactions . . .

It is interesting that the Society found it necessary to dispel what its committee referred to as "considerable misapprehension" by denying that it would have anything to do with the exhibition of "zoological curiosities". Nevertheless, its breeding and holding enclosures, aviaries and ponds constituted an attraction to its members and the deer paddocks and waterfowl ponds in Parramatta Park were enjoyed by the public.

Animals for which the Society had no accommodation or which were unsuitable for acclimatization, were passed to the Botanic Gardens, which rapidly developed a large and varied collection.

The Acclimatization Society was initially funded by members' subscriptions, matched pound for pound, by annual grants from the government, realizing about £300 per year. This arrangement lasted only three years and, by its seventh year (1868), the Society was in trouble. Its activities gradually declined, but an official letter that I unearthed in the Mitchell

Library shows that it was still in existence in the early 1880s.

Nevertheless, this did not satisfy one of its founding members, Mr Walter Bradley, a Randwick auctioneer who was a keen acclimatizer of birds, credited with having introduced the Skylark and Starling to Sydney and to have kept some of the first Ostriches. On 14 March, 1879, in collaboration with Mr H. P. Mostyn, he convened a public meeting to consider the formation of the "New South Wales Acclimatization Society". Their prospectus begins as follows:

It being universally allowed that the Colony of New South Wales is exceedingly well adapted for the Acclimatization of Song Birds and Game other than those that are indigenous to the soil and climate, a movement is being made for the establishment of a Society under whose auspices all such Birds and Animals may be introduced as shall afford sport and amusement without doing injury to the Agriculturist and Gardener . . .

The notable difference between these aims and those of the Acclimatization Society of New South Wales is that the older, moribund, body set out primarily to introduce *useful* species, while Bradley was concerned only with those that could be hunted, fished, or admired for their beauty.

Charles Moore was at the gathering called by Bradley and Mostyn and soon rose to inform the meeting that there already was an Acclimatization Society of New South Wales, with aims that included those of the proposed New South Wales Acclimatization Society. Unshaken by this, Bradley immediately moved that, without any alteration to its aims, the new body be called "The New South Wales Zoological Society". The meeting approved its establishment.

In terms of its objectives, this body had nothing to do with the science of zoology or with a zoo, but we may note that among the founding members were those stalwarts of 1852: George Bennett, Charles Moore, Arthur Holroyd and Henry Parkes (by then Premier of New South Wales).

The Zoological Society immediately began importing, breeding and liberating fishes (particularly carp and trout) and birds (including pheasants, quails, skylarks, yellowhammers, goldfinches and chaffinches). Land was leased at Billygoat Swamp in Moore Park to accommodate ponds for fishes and waterfowl and cages for birds. A Secretary, Mr H. Catlett, was appointed at a salary of £100 and a house-cum-office was

built for him. Moore supervised the early development of the site and, by 1881, the old boys were in control, with Holroyd as President, Bennett and Moore as Vice-Presidents. A zoo was now inevitable and, as it happened, a ready-made one was available: Moore was prepared to pass over the entire menagerie of the Botanic Gardens and the government was very happy with the transfer.

The general public was less pleased and, in response to an outcry, some of the birds were returned to the gardens.

Most of the stock donated to the Society was accommodated in structures of timber and mesh but Moore held back his bears until a substantial masonry structure had been built for them: the bear pit, now in the grounds of Sydney Girls Grammar School, is the only physical remnant left on the site.

Missing from the "instant" zoo was an elephant. The Society mounted a public appeal for funds and raised £300, which was matched by the government. With this, the Society bought a female from the Calcutta Zoo: it arrived in November, 1883. Meanwhile, however, the Society had organized a cheap exchange of native plants and animals with the Royal Botanic Gardens in Bangkok for a male elephant, which arrived in August. The Siamese animal was given the name "Jumbo"; the Calcutta animal was (alliteratively) called "Jessie". It is common knowledge that Jessie was a gift from the King of Siam: common knowledge just happens to be wrong.

As in most zoos, past and present, the finances of Moore Park were usually on a knife-edge. Revenue from admissions seldom covered operating costs and, each year, the President had to go, cap-in-hand, to the State Government, seeking a grant to balance the books. This was usually forthcoming, perhaps because Henry Parkes, President from 1887 to 1895, was either Premier or Leader of the Opposition during that period.

Moore Park had more than its share of emergencies. Every now and again it flooded. In 1888, a fire destroyed the Monkey House and many of its inhabitants. In 1898 there was a spate of poisonings, including ten pumas. In 1902, some kangaroos were found to be carrying bubonic plague and the zoo had to be closed for four months. This meant a loss of revenue and heavy costs in ratproofing, and led to the realization that sanitation in the zoo was very primitive. It was too small and it was not a good site, but nobody on the Council or staff of the Society had any training in zoo husbandry, design, or management.

Catlett died in 1903 and was replaced (as Secretary and Superintendent) by Albert Sherborne Le Souef. He was one of three sons of A. A. A. Le Souef, an early director of Melbourne Zoo: another son succeeded his father in Melbourne; the third became director of the Perth Zoo: the brothers constituted a powerful trio in the early 20th century.

Le Souef was a breath of fresh air: he knew something about zoos and he set out to reorganize Moore Park. The Society managed to expand its lease to a total of six hectares (but at the cost of adding three ex-officio Sydney aldermen to the governing body).

I should mention that, around this time, the Society applied to the Governor of New South Wales, requesting the King's permission for the Society to add "Royal" to its name. This was granted and, in February 1909, the New South Wales Zoological Society became the Royal Zoological Society of New South Wales. This involved no new privileges or responsibilities, but may have given pleasure to the Council. It did not alter the fact that Moore Park was too small.

With a view to a new approach, Le Souef had been sent to Europe in 1908 to investigate recent developments. He was vastly impressed by Carl Hagenbeck's *Tierpark*, a privately owned zoo in Hamburg, that had opened in 1907. Hagenbeck's approach was revolutionary. He had measured how far and high various animals could leap and then created dry moats which they could not cross, permitting them to be exhibited without a visual barrier. His was the first zoo without bars. Le Souef was determined to create another in Sydney.

In 1909, the State Government came to agree with the Council of the Royal Zoological Society that the Moore Park site was unsatisfactory. A working party of senior public servants and representatives of the Society was established to search out a new site. No member of the working party had any direct experience of zoo administration or design.

At this crucial stage in the Society's history, it was under the Presidency of Professor Anderson Stuart, founder of the medical school in the University of Sydney. The anonymous author of Stuart's entry in the *Australian Encyclopaedia* remarks that "He had great will-power, and once he had made up his mind to do something, would get his own way at any cost. Naturally, this habit of domination brought him many enemies . . .". He dominated the Council of the Society and, so it is said, stacked it with fellow-Masons.

One person who was not intimidated by Anderson Stuart was Count Mörner, Consul-General for Sweden from 1906 to 1910, member of the R.Z.S. Council, and founder or co-founder of the Wildlife Preservation Society. He had been the first to propose a move away from Moore Park but, as this approached reality, he found that he had no faith in Stuart or the Council to create a new zoo of high quality. In a long letter of resignation, which he also sent to the *Sydney Morning Herald*, he claimed that Stuart was a "tactless autocrat who knew nothing about animals, that few of the Council members could even put names to many of the species in their charge, and that the only expert, Le Souef, had been reduced by Stuart to 'a kind of subordinate animal-keeper'". He asked

Are we, the present Society Council qualified . . . to turn this poorest little zoological garden of Australia into a zoological garden which could be of use to science, a study place of the disappearing native fauna of this country and an honour to Australia?

His answer was in the negative. The Zoological Society Council was not zoological but there were many fine zoologists in Sydney and, by resigning, he hoped to make a place for one of them.

Stuart replied that Mörner had always been an "outsider" and that all that was required of Le Souef was that "he would just attend to the business of keeping the gardens tidy, the staff in peace, and the animals from dying".

The cat was among the pigeons. Long-standing resentments came to the fore and, within a few months, the Honorary Secretary of the Society had resigned. Stuart's resignation followed two months later, in January, 1910. In the annual election of April 1910, only four of the sitting Councillors were re-elected. The other 14 were new, and five of these — C. Hedley, A. R. McCullough, T. H. Johnston, W. J. Rainbow, and W. W. Froggatt, were professional zoologists. None of them had any experience in animal husbandry but, as zoologists, they could have been expected to understand what a zoo entailed. A sixth newcomer, A. F. Bassett Hull, was an amateur ornithologist of some distinction. The new Council elected Hedley as President.

Unfortunately, this revolution had come too late. The dissension within the Council had revealed its weakness and neither the public nor the government were impressed. An editorial in the *Sydney Morning Herald* of January 1910 referred to the Society itself as "a menagerie" and went on to say:

For our part we do not find the squabbles of its council of any great interest. The real truth of the matter, it seems to us, is that the activity of the Zoological Society has outlived its usefulness so far as a public asset is concerned . . . The simplest way out is for control of the Gardens to be transferred, voluntarily or otherwise, to the State . . .

That, of course, is what happened. The working party recommended that part of Ashton Park be transferred to the ownership of a body called "The New Zoological Gardens Trust" and an agreement was reached with the Council of the Society that it would pass over its animals and buildings and that on 31 June, 1916, all staff would be dismissed, to be employed the following day by the Trust. Le Souef had been transferred to the Trust in 1912, first as its Secretary, then Director, and was able to mastermind the development of Taronga.

In retrospect, the transition was very gentle, for five Councillors of the Society were made members of the seven-member Trust; members of the Society were given free entry to the Zoo (plus a number of free passes); and it was agreed that the Zoo would provide

accommodation for the Society's meetings, its library, and its research activities — none of which were substantial.

This is the point at which I regard the "early" history of the Society as coming to an end. In review, what happened was that the 1852 attempt to establish an educational-scientific zoo failed. The outcome of the Acclimatization Society (1861) was that a zoo became established in the Botanic Gardens. The Zoological Society (1879) was high-jacked by Bennett, Holroyd and Moore to create a zoo but this had little zoological content. Mörner's revolution came too late and we were left with a Zoological Society with some claim to be zoological but without a zoo.

One could well imagine that this would have been the end of the story and that the Zoological Society would have followed the Acclimatization Society into decline but this was not the case. The biologists in control of the Society transformed it into a scientific body and, in 1913, published the first issue of *The Australian Zoologist*. Triumphs and failures over the next 80 years constitute the "later" history of our Society. I hope to have the opportunity to sketch this at some future gathering.

Environmental Dispute Resolution

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(An address by the Rt Hon. Sir Ninian Stephen, Ambassador for the Environment [from July 1989 to September 1992] to a National Conference on public issue dispute resolution sponsored by the Queensland Government in conjunction with the Commission of Inquiry into the Conservation, Management and Use of Fraser Island and the Great Sandy Region, held at the Sheraton Brisbane Hotel on Tuesday, 19 February 1991.)

I want to take the opportunity that this gathering offers to have a look at the whole question of the modern phenomenon of environmental disputes, to discuss the features that seem to me to mark them out as entirely different in nature from disputes that are litigated in the courts of law and to suggest some conclusions about processes suitable for resolving or, better still, in some cases altogether avoiding environmental disputes. I should make it perfectly clear at the outset that I speak entirely for myself and that nothing that I say in any way reflects the views of the Commonwealth. Not only are these my own views, they are put forward with no concluded conviction as to their correctness or, especially,

as to their feasibility but, rather, so as to provoke discussion, at a quite fundamental level, on the topic of environmental dispute resolution.

Any form of dispute resolution is itself a second-best solution; dispute avoidance is clearly preferable. And what may loosely be described as environmental disputes do seem to me to be at least occasionally susceptible to avoidance techniques, as I will suggest in the course of looking at dispute resolution processes. But first a look at the nature of environmental disputes, that is, disputes in which environmental factors can be seen to play a significant part. Such disputes seem to me to be essentially